

Application No.: 10/392,310

Docket No.: 2901683.29

REMARKS***Introduction***

Receipt of the Office Action mailed November 18, 2005 is acknowledged. No claims are added, amended or canceled. Submitted herewith is a Declaration to address the outstanding rejection under 35 USC 103. Favorable reconsideration is earnestly solicited.

Claim Rejections - 35 USC §103

Claims 1-5 stand rejected under 35 USC 103(a) as allegedly being unpatentable over WO 97/42259 to Chevalier et al in view of US 4,940,631 to Colin et al and US 5,906,789 to Hausdorf et al. This rejection is respectfully traversed.

The Examiner contends that Applicant has not demonstrated that unexpected results are associated with the claimed sponge density. To address this point, a side by side comparison was run. Results of the comparison are set forth in the Declaration submitted herewith. In the Declaration, Dr. Mans explains that two fiber-reinforced sponges based on cellulose were produced, one using a blowing agent and one without using a blowing agent¹. As can be seen from the pictures accompanying the Declaration, the sponge made without the blowing agent showed a capillary rise 53 mm, while the sponge made with the blowing agent had a capillary rise of only 21 mm. Thus, the density of the sponge is not a mere matter of engineering choice. Namely, the instantly submitted Declaration clearly shows that the omission of a blowing agent causes a dramatic and unexpected benefit of improved density and hence, use as an absorption material. It would not have been obvious to one of ordinary skill at the time of the invention to have employed the instantly claimed sponge cloth of claims 1-5.

¹ Even though the present invention employs the NMMO process, the viscose method was used to in the present comparison to highlight the benefit of omitting the use of a blowing agent. To provide a true comparison, it is important that only one feature be altered. It is Dr. Mans' belief that a fiber-reinforced sponge cloth obtained by the NMMO process would display water absorption characteristics that are at least as beneficial as set forth in the Declaration.

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In view of the instantly submitted Declaration and foregoing remarks, the present rejection is believed to be improper and should be withdrawn.

Should Examiner Wachtel wish to discuss any aspect of this case, the Examiner is invited to contact the office of the undersigned attorney of record at the phone number listed below.

Applicant believes no fee is due with this response. The Commissioner is hereby authorized to please charge our Deposit Account No. 11-0553 for any fees deemed necessary, from which the undersigned is authorized to draw.

Dated: February 21, 2006

Respectfully submitted,

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